

### **REMARKS**

Claims 79-134 are pending in the application and are subject to a restriction requirement. The claims are restricted into four groups as follows:

- I. Claims 79-105, drawn to methods for assessing the presence or absence of a disease state in a subject;
- II. Claims 106-132, drawn to methods for monitoring disease progression;
- III. Claim 133, drawn to a method for creating a cytoskeletal protein profile; and,
- IV. Claim 134, drawn to a method for generating a classification system.

For purposes of being fully responsive to the restriction requirement, Applicants elect group I for prosecution. The election is made with traverse. At a minimum, groups I and II should be rejoined because no serious burden has been established. Given the relatedness of the claimed methods' steps, a search on the claimed methods for disease diagnosis will reveal art, to the extent any exists, relevant to disease monitoring. In the event that groups I and II are not rejoined at this time, Applicant requests that the restriction requirement between groups I and II be reconsidered at the time that patentable subject matter is found in group I.

Applicant thanks the Examiner for the time and courtesies extended to Applicant's representative in a telephone conversation on September 5, 2007 in which the present restriction requirement was discussed. It is noted that the Examiner orally agreed to reconsider the restriction requirement between groups I and II upon a finding of allowable subject matter in group I.

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**PATENT**

The foregoing is fully responsive to the restriction requirement. Applicant submits that the present claims are in condition for examination on the merits, which action is requested.

Respectfully Submitted,

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